

Appl. No.: 10/804,925  
Docket No.: DB001089-000  
Amdt. Dated: 16 May 2007  
Reply to Office action of 16 April 2007

#### REMARKS/ARGUMENTS

In response to the Office Action (restriction requirement), Applicants elect, without traverse, claims 18 – 30, drawn to a tubular fuel cell, classified in class 429, subclass 31, referred to by the Examiner as Invention II. The non-elected claims 1 – 17 and 31 – 100, have been canceled without prejudice to the submission of those claims in a divisional application.

An early Office action on the merits is respectfully requested.

If the Examiner believes that a telephone interview would be beneficial to advance prosecution of the application to early issue, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Paul D. Bangor, Jr.  
Reg. No. 34,768  
Thorp Reed & Armstrong, LLP  
One Oxford Centre  
301 Grant Street, 14<sup>th</sup> Floor  
Pittsburgh, PA 15222  
412-394-7767

Dated: 16 May 2007

Attorneys for Applicants